

**MINUTES
BOARD OF ADJUSTMENT
PUBLIC HEARING
September 11, 2014**

The Lake County Board of Adjustment met on September 11, 2014 in the Commission Chambers on the second floor of the County Administration Building in Tavares, Florida to consider requests for variances and any other petitions that may be submitted in accordance with Chapter XIV of the Lake County Land Development Regulations.

Board Members Present:

Donald Schreiner, Chairman
Craig Covington, Vice-Chairman
Peter Caracciolo
Marie Wuenschel
Catherine Hanson

Board Members Absent:

Phyllis Luck
Lloyd M. Atkins, Jr.

Staff Present:

Chris Schmidt, Manager, Planning & Community Design Division
Jennifer Cotch, Senior Planner, Planning & Community Design Division
Melanie Marsh, Deputy County Attorney
Donna R. Bohrer, Public Hearing Associate, Planning & Community Design Division

Chairman Schreiner called the meeting to order at 1:00 p.m. He noted for the record that there was a quorum present. He confirmed Proof of Publication for the case as shown on the screen. He added that if a variance is approved, the owner/applicant should give staff at least 24 hours before proceeding to the zoning counter to finalize their paperwork.

TABLE OF CONTENTS

<u>CASE NO.</u>	<u>OWNER/ APPLICANT</u>	<u>AGENDA NO.</u>
<u>Consideration of Minutes</u>	May 8, 2014	
<u>Public Comment</u>		
<u>Opening Remarks</u>		
<u>Consent Agenda</u>		
<u>Regular Agenda</u>		
BOA# 10/14/5	David and Kandee Bassett	1
<u>Closing Remarks</u>		
<u>Adjournment</u>		

Opening Remarks

Jennifer Cotch, Senior Planner, Planning and Community Design, said there were no changes to the agenda.

Minutes

MOTION by Craig Covington, SECONDED by Marie Wuenschel to APPROVE the May 8, 2014 Board of Adjustment Public Hearing Minutes, as submitted.

FOR: Schreiner, Wuenschel, Covington, Caracciolo

ABSENT: Luck, Atkins, Hanson

AGAINST: None

MOTION CARRIED: 4-0

Public Comment

There were no public comments.

Catherine Hanson arrived at 1:04 p.m.

Regular Agenda

Jennifer Cotch, Senior Planner, presented case, BOA# 10-14-5 an application for a variance to allow a livestock building to be located sixty-seven (67) feet from east property line and sixty-five (65) feet from the east property line. The Lake County code states if a livestock building cannot be constructed conforming to the two hundred (200) foot setback, it shall be as closely centered as possible between the property lines and a fifty (50) foot setback shall be maintained from all property lines. The subject property is located at 2542 Smitty Road, in the Lady Lake area and consisting of approximately five (5) acres and is zoned agriculture. The Bassetts are requesting a variance in order to avoid removing a number of large trees located in the center of the property. Ms. Cotch said the applicants noted that the livestock building would still meet the fifty (50) foot setback. Staff said there is sufficient space for the building to meet the code and therefore staff is recommending denial.

Ms. Kandee Bassett, stating she believes they can meet the intent of the code and ensuring that setbacks are not disruptive to their neighbors. She said they have worked to improve the property and have consulted an arborist regarding the conservation of the large trees on the property. She detailed the improvements they intended to make to their residence, none of which would require the removal of any trees. They want to retain as many trees as possible to provide

shade for their horses, while preserving the pasture area in the center of the property. She stated that the neighbors support the improvements made to the property and support of their variance application. She noted that following the code would not only prohibit the additions to their home but would require the removal of many mature trees.

Craig Covington asked to see the location of the proposed livestock building on the map. Ms. Cotch placed the survey on the projector, and Ms. Bassett discussed their desire to preserve the center area as pasture. Chairman Schreiner noted removing the mature oak trees would create difficulties for barn construction.

In response to a question from Catherine Hanson, Ms. Bassett confirmed that all the trees are live oaks.

Public comment

Tom Warner, Vice- President of Grand Oaks, said he supported the improvements the Bassett's have made to the property and emphasized how important the preservation of the trees was to him and to Grand Oaks.

Motion by Craig Covington, SECONDED by Catherine Hanson to approve BOA# 10/14/5, David and Kandee Bassett, with conditions as set forth by staff.

FOR: Schreiner, Hanson, Covington, Wuenschel, Caracciolo

ABSENT: Luck, Atkins

AGAINST: None

MOTION CARRIED: 5-0

In response to a question from Melanie Marsh, Deputy County Attorney, Chairman Schreiner stated that the board was approving the order included in the packet which includes a requirement to plant shrubbery.

Adjournment

There being no further business, the meeting was adjourned at 1:14 p.m.

Respectfully submitted,

Donna Bohrer
Public Hearing Associate

Donald Schreiner
Chairman